



# Decision Memo

## Loveland Ski Area Lift 6 Replacement

### Categorical Exclusion

### USDA Forest Service

### Arapaho and Roosevelt National Forests and Pawnee National Grassland

### Clear Creek County, Colorado

#### Background

Loveland Ski Area is 53 miles west of Denver and located in the southern portion of the Arapaho National Forest, Clear Creek County, Colorado. For a detailed description of the proposed action, as well as a map related to this project, visit the project website at the following link:

<https://www.fs.usda.gov/project/?project=56541>

Loveland Ski Area (LSA) has proposed to replace and upgrade the aging Lift 6, a 40-year-old fixed-grip double chairlift, with a fixed grip triple or a detachable quadruple lift along the same alignment. Lift 6 is the oldest operating lift at LSA, and is reaching its projected maturation at the same time that LSA is experiencing continued growth in skier days. This project would occur within the existing LSA Special Use Permit (SUP) area, and would be implemented during the summer of 2020. The existing capacity of the lift is 1,200 persons per hour, whereas a detachable quadruple lift would be able to transport 2,400 persons per hour. A detachable quadruple lift would have a wider corridor than the existing lift, which would require approximately 40 trees to be removed. Total area of disturbance would be approximately 0.73 acres, of which approximately 0.61 acres would be permanently disturbed. Of the area to be permanently disturbed, approximately 0.4 acres (66%) has been previously disturbed by construction of the existing lift.

The existing lift traverses wetlands along a portion of its length. Construction would disturb approximately 0.01 acres (468 square feet) of wetlands, of which 68 square feet would be permanently disturbed. However, the new lift would utilize fewer towers. As a result, three towers currently situated in wetlands would be removed, totaling approximately 84 square feet. Additionally, approximately 100 square feet of land currently outside of wetlands would be converted into wetland as mitigation for the proposed disturbance. As a result, there would be a net increase in wetlands of approximately 116 square feet.

#### Decision

Based upon my review of the Categorical Exclusion (CE) and associated project record, I have decided to authorize the proposed action. As described above, the new lift would require fewer towers with different spacing. Existing towers would be cut at or below ground level and removed over the snow. One tower would be removed completely, including the underground portion. New towers would generally be flown in by helicopter, as there is no road access to most of the proposed project area. Impacts to wetlands would be mitigated via project design criteria, which follow the *Arapaho and Roosevelt National Forests and Pawnee National Grassland Forest Plan, 1997 Revision* (Forest Plan). The



project site is located within the Forest Plan Management Area 8.22: Existing and Potential Ski-Based Resorts, and all design features are an integral part of the proposed action.

## Decision Rationale

I have reviewed the CE and project record for the LSA Lift 6 replacement, and have determined that the proposed action will not have a significant effect on the quality of the human environment. Therefore, preparation of an environmental assessment or environmental impact statement is not required.

My decision to implement the proposed action is consistent with the purpose of and need for the project. The project will provide additional recreational opportunities on National Forest System land, as well as help meet current and future demand at Loveland Ski Area. This action will move recreational activities in the project area toward objectives, goals, standards, and desired future conditions described in the Forest Plan.

I have determined that this project, as described above, is categorically excluded from documentation in an environmental impact statement or environmental assessment. The applicable category of actions is identified in agency procedures as 36 Code of Federal Regulations 220.6(e)(3), *"Approval, modification, or continuation of minor special uses of NFS lands that require less than five contiguous acres of land."* This category of action is applicable because the project proposes a modification of less than one acre of the ski area, which is a permitted special use area. Furthermore, no extraordinary circumstances exist that would preclude the use of a CE (see Findings section below).

The proposed action is consistent with Loveland's 2017 Master Development Plan. In addition, it reflects changes made in response to issues, concerns, and new information that were considered during the planning process.

To minimize resource impacts, my decision incorporates the following project design criteria (PDC):

**Table 1. Project Design Criteria and Best Management Practices**

Planning
All construction, operation, maintenance and monitoring associated with the Lift 6 replacement project will adhere to the Arapaho and Roosevelt National Forests and Pawnee National Grassland's Standards and Guidelines. Select Standards and Guidelines are listed in this table to ensure compliance with critical elements.
Implement Best Management Practices (BMPs) for erosion control and sedimentation for any ground disturbing activities adjacent to wetlands. These include, but are not limited to, the installation of sediment fences, erosion control wattles, and sediment basins.
Salvage, keep separate, and then restore the approximate topsoil thickness in all areas proposed for grading and reclamation. Keep wetland soils separate from other soils to avoid mixing.
Where trenching or excavation comes into contact with groundwater, install impermeable barriers (e.g., bentonite clay or PVC liner) downslope of wetlands in locations sufficient to preserve the hydrologic functioning of the adjacent wetland.
For any trees cut directly adjacent to wetlands, flush cut tree stumps and leave root wads intact. Place no slash or other debris in wetlands. Do not drive over wetlands unless there is a suitable thickness of snow or frozen ground to ensure that no rutting or soil compaction occurs.



**Table 1. Project Design Criteria and Best Management Practices**

Clean all off-road equipment prior to use to ensure it is free of soil, seeds, vegetative matter, or other debris that could contain or hold noxious weed seeds. "Off-road equipment" includes all construction machinery or off highway vehicles, except for trucks, service vehicles, water trucks, pickup trucks, cars, and similar vehicles.

All disturbed ground will be revegetated with desirable plant species. Utilize seed mixes approved by the Forest Botanist and certified to be free of weed species. Seed mixes that incorporate native plant species similar to those within the project area are desirable. Any mulch used in revegetation efforts must be certified to be free of weed species.

The following project elements will follow guidelines set forth in the Arapaho and Roosevelt National Forests and Pawnee National Grassland Sports Program's *Facility Design Review Guide*:

Ropeway and associated chairlift operator shelters (Type B Design Review)

Chair Maintenance and Storage Buildings (Type B Design Review)

The facility design review for each element is anticipated to take 30 days from initial submission to Notice to Proceed.

## Findings

### Federally-Listed Threatened or Endangered Species or Designated Critical Habitat

The Endangered Species Act requires that federal actions not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered, or result in adverse modification to such species' designated critical habitat. Federally listed species with potential to be present or affected by the approved project include the Canada lynx. Although areas of vegetation removal for the widened lift corridor will overlap areas of primary lynx habitat, these forested blocks are all less than 50 acres, are not immediately adjacent or within a lynx linkage area, and are already highly dissected and developed. As is specified in the Southern Rockies Lynx Project Decision Screens (updated in 2014), these project related impacts would result in a determination of "Not likely to Adversely Affect" on the Canada lynx. The project area also contains suitable habitat for North American wolverine, although the wolverine is not currently known to be present in the vicinity, nor would habitat potential be impacted.

Forest Service Region 2 Sensitive wildlife species were also considered. The project area contains potential habitat for the white-tailed ptarmigan and olive-sided flycatcher. The only potential for impacts to these species would be during the construction phase, but such impacts would be prevented by ensuring that there would be no construction activities to snow willow or other alpine to subalpine patches of willow.

No federally-listed or proposed plant species are located in the project area. Forest Service Region 2 Sensitive plant species were also considered, and it was determined that the project area provides potential habitat for dwarf raspberry and ice-cold buttercup. Before implementing any ground disturbing activity, project areas will be surveyed for plants using established protocol to ensure the project will not result in significant impacts to botanical resources, including federally-listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species.



## Floodplains, Wetlands, or Municipal Watersheds

Impacts to wetlands and other waters of the U.S. for this project are expected to be negligible. The project is not located within a floodplain or municipal watershed. While there are wetlands below the chairlift alignment, as well as around the lower lift terminal, the number of towers within wetlands will be reduced from the current four towers to two towers. The lowermost existing tower will be removed completely, and the excavation will be filled with soil and seeded with wetland plants. Thus, there will be a net gain of wetland habitat as a result of this project of approximately 116 square feet. Existing mountain roads that avoid wetlands will provide construction access to the top and bottom terminals. Indirect impacts due to construction will be avoided and mitigated through PDC and BMPs that will prohibit sediment migration from ground disturbance into wetlands or streams.

## Congressionally Designated Areas

No actions will occur in Congressionally-designated Wilderness, wilderness study areas, or National Recreation Areas.

## Inventoried Roadless Areas

There are no inventoried roadless areas or potential wilderness areas within the project area.

## American Indian Religious or Cultural Sites, Archeological Sites or Historic Properties

Section 106 of the National Historic Preservation Act (U.S.C. 470 et seq.) requires Federal agencies take into account the effect of a project on any pre-contact or historic district, site, building, structure, or object that is included in or eligible for, inclusion in the National Register. A cultural resource inventory was performed in the area of potential effect, and no cultural resources were identified within the potential disturbance areas. It has been determined that there will be no adverse effect to historic properties as a result of the approved projects. If cultural resources are discovered in the project area, additional measures will be employed such that the resources are not impacted.

## Public Involvement

The proposal was listed on the Forest Service Schedule of Proposed Actions starting in July 2019. A scoping letter was posted to the project website on September 9, 2019 inviting comments from local, state, and federal agencies, and other interested parties. As of September 20, 2019, four comment letters were received.

## Findings Required by Other Laws and Regulations

After careful review of the analysis in the CE and specialist reports in the project record, I have determined that the proposed action complies with all applicable laws and regulations including, but not limited to Executive Order 11990, the National Historic Preservation Act, the National Forest Management Act, and the Endangered Species Act. This decision is consistent with the Arapaho and Roosevelt National Forests and Pawnee National Grassland's Forest Plan.

## Implementation and Administrative Appeal

On January 17, 2014, the President signed into law the Consolidated Appropriations Act of 2014 (Pub. L. No. 113-76). Section 431 of that Act directs that the 1992 and 2012 legislation establishing the 36 CFR 215 (post-decisional appeals) and 36 CFR 218 (pre-decisional objections) processes "shall not apply to any project or activity implementing a land and resource management plan ... that is categorically excluded ... under the National Environmental Policy Act [NEPA]." On February 7, 2014, the President





signed into law the Agricultural Act of 2014 (Farm Bill) (Pub. L. No. 113-79). Section 8006 of the 2014 Farm Bill repealed the Appeals Reform Act (ARA) (Pub. L. No. 102-381). The ARA's implementing regulation was 36 CFR 215. The 2014 Farm Bill also directs that the pre-decisional objection process established in the Consolidated Appropriation Act of 2012 shall not be applicable to categorically excluded projects or activities.

Therefore, this decision is not subject to appeal or objection. Implementation may occur in accordance with PDC referenced above.

## How to Find Project Information

Project information is available on the Forest Service website at <https://www.fs.usda.gov/project/?project=56541>.

For additional information concerning this decision, contact Scott Haas, Clear Creek District Ranger at 303-567-3001, or [scott.haas@usda.gov](mailto:scott.haas@usda.gov).

Monte Williams  
Forest Supervisor

Date

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